

AMERICAN FACTORS USES GREAT CARE ALLOTING SHARES

Liberty Bonds Freely Taken But
Privilege Cannot Be Used
To Profit

More Than Five Hundred Want
Stock and Big Interests Are
Well Represented

Liberty Bonds are to be freely accepted in payment for the trust certificates which represent the stock of American Factors, Limited, where it is evident that the purchaser who uses such bonds as a medium for payment is not seeking to unload his or her holdings of such bonds and to profit therefrom. Where it appears, however, that a subscriber is seeking to throw over a four and a quarter percent investment for an eight percent one, it is a different matter. Good faith must be in evidence and it must be the apparent intention of the purchaser to replace the bonds so taken with others as the demand prices and circumstances warrant. Thus it happens that there may be some disappointment for it is known that in at least one instance where a would-be purchaser desired to pay in Liberty Bonds in full, the application was thrown out without further ado because the applicant was quite evidently not a loyal American citizen.

Up to yesterday afternoon more than 500 applications for stock in American Factors, Limited, had been received at the Trust Trust Company. Over-subscription appeared certain at that time, not a large over-subscription but of 2000 shares or more. This is satisfactory for allotments will not have to be materially cut down.

Significant in the list of applicants is the number of those who are seeking small allotments. More than twenty have applied for single shares, more than fifty for five shares or less and more than one hundred for ten shares for the limit allotment, 2500 shares, and that several other applications for 2000, 1500 and 1000 shares have been received. The average holdings of the stockholders will be, however, a little less than ten shares, a condition widely variant from that which existed in the H. Hackfeld & Company corporation.

GERMAN HEART TO COOL IN PRISON

First Case Under Espionage Act
Brings Penitentiary Terms
of Sixteen Years

Sixteen years is the term of imprisonment to which Charles Spillner, an Oahu Sugar Company plantation man, was sentenced to serve yesterday morning by Judge Vaughn, following Spillner's conviction on four counts of having violated the Espionage Act by remarks intended to weaken the morale of men in the national guard.

The sentence is divided into four terms of four years each on the four counts. The terms do not run concurrently, but consecutively, as explained by Judge Vaughn after passing sentence on the first defendant convicted in Hawaii for this offense.

That Spillner in his attempt to frighten members of the national guard by telling them that the organization was "rotten" and "going to be broken up" and "the Germans would make trouble" of the American army, was carrying out the German idea which worked so successfully in Russia, was the trend of Judge Vaughn's remarks before the man was sentenced.

Tutors' Terrorize
"It is a part of the German plan to terrorize the American people," the court said, although no belief was expressed that the defendant acted directly under German orders. As one of the other federal officers expressed it, it is believed more likely he would shoot his superior and that he would not fight for America were the expressions of a "German heart." The defendant is of German extraction, but was raised in Hawaii.

Judge Vaughn emphasized that Spillner had had the advantage of a fair trial by a jury of intelligent business men, and that he did not want to appear too harsh. He then added: "But I feel that I would feel in my duty as an American and a representative of the American judiciary if I failed to order a severe penalty for the offense of which Spillner has been found guilty."

Counsel Asks Clemency
Attorney Lorin Andrews attempted to secure leniency by a few words for Spillner whom he had represented as content. The attorney said he had known Spillner's family for a long time and had never heard them accused of disloyalty before.

Spillner received the heavy sentence stoically and silently, and with an outward exhibition of fortitude, but with a dumb questioning in his eyes, as if seeking some sign of sympathy from those whose gaze he met.

SHIPPERS MAY SECURE RELIEF FROM RULINGS

Relief from the rules of the shipping board providing that the consignees of freight brought here from mainland ports must stand all losses from pilferage, breakage, and general loss, may be obtained from Washington, according to C. W. Cooke of the United States Shipping Board at San Francisco.

In a letter to the chamber of commerce Mr. Cooke says that this matter has not only been referred to Washington but has been under discussion there, and he says he "hopes to have it straightened out" in a short time.

MORE EVIDENCE OF MONOPOLY OFFERED

Japanese Said To Have Been
Paid To Keep Land Vacant;
Belser Makes Statement

Publication of the fact that District Attorney E. C. Huber was investigating complaints made by contractors that the Honolulu Construction and Draying Company was operating a monopoly in restraint of trade with its quarry at Moiliili, of which it now has complete control, resulted yesterday in another Honolulu contractor calling on the district attorney to give additional information.

Huber said he could give him some valuable information about the conduct of the business of the construction and draying company. The district attorney did not have the time to take up the subject yesterday, but made arrangements to take the statement of the contractor later.

Another bit of evidence which reached the district attorney yesterday was that a contractor was amazed recently, he alleges, when he learned that a private buyer of stone could get a lower price than could the contractor.

District Attorney Huber says that in one instance, "a contractor who received what he thought was a substantial bid from the construction company for some work referred to by George Collins, engineer of the Bishop Estate. Then the Bishop Estate engineer called up the draying company, I understand, and asked for a bid on the same sort of construction. It is said that he promptly received an estimate which was fifty cents a cubic yard less than the big given to the outside."

Prices Go Up
Thirty-three percent is what the rise in price of stone is estimated to be since the Honolulu Construction and Draying Company got complete control of the Moiliili quarry, says District Attorney Huber.

There has been also a corresponding increase in cartage prices for stone recently, according to another informant. He says that formerly the average cartage for cartage for stone by the draying company was fifty cents a cubic yard, but that now it averages nearer seventy-five cents.

Continuation of the inquiry into the so-called quarry monopoly yesterday resulted in the discovery that there is a marked discrepancy in the price paid for stone by the city and the Territory.

The following table shows what is now paid by the city for four grades of stone and the price previous to July 1st:

	Now Before	July 1st
No. 1 rock	\$1.25	\$1.15
No. 2 rock	1.50	1.25
No. 3 rock	1.75	1.45
No. 4 rock	2.10	1.85

As is easily noted, the raise of prices to the city has been at the rate of twenty-five cents a cubic yard, while the raise asked of the Territory, as shown by bills in the public works office, has ranged from thirty to thirty-five cents a cubic yard.

Formerly the Territory was paying \$1.65 a yard for No. 3 grade and \$1.90 for No. 4. Bills rendered recently show that No. 3 is now billed at \$1.95 and No. 4 at \$2.20.

City Engineer A. B. Cantin says that the city does nearly all of its carting and so the price charged for hauling by the draying company does not affect the city bills. However, others say that the city is being "gouged" by hauling charges and that the city does not do all of its own carting or at least only for street patching jobs.

The city engineer says the price of stone from the quarry will not by any means add to the cost of belt road construction as a quarry will have to be opened on the other side of the island for this proposed road work.

However it is not so much the price of stone at which the investigation is aimed, but at the fact that the Honolulu Construction and Draying Company now controls all of the available building rock in Honolulu and how it exercises such control.

City Steps Out
Even some of those closely connected with the city government did not know until after the report of the investigation was published in The Advertiser that the city no longer operated its quarry at Moiliili. No rock has been taken out by the city since April or May, 1916, it is said, and the city's lease on the quarry site expired about July 1, this year, about the same time there was an increase in the price asked for rock.

Estate Criticized
There is some criticism of the Bishop Trustees in the manner in which John Wilson was forced out of the quarry business at Moiliili, where he was operating under a contract from a Japanese who held a lease from the Bishop Estate.

Friends of Wilson claim that this leased part of the quarry was permitted by the Bishop Trustees to come into the control of the Honolulu Construction and Draying Company without Wilson being given an opportunity for a competitive bid. In fact it is asserted that the first Wilson knew he was going to be forced out of the quarry was when he received a letter from the Bishop Estate telling him the lease had been given to another, name unmentioned, after an open bid.

Forced to Move
Wilson was forced to move his rock crushing equipment to a vacant lot at a cost of about \$2000 because he was unable to get a site set up where other stone could be taken out. His friends say that an effort of Wilson's to open another quarry was blocked by the payment of an "out-rageously high sum," the owner of some land on which there was plenty of rock.

This was an unopened quarry site back of the Moiliili baseball park which was in possession of a Japanese by the name of Matsumoto, Wilson. It is said, had almost made arrangements for starting a quarry there, when Mat-

Miracle of Battle Turned Hard-boiled Boys Into Heroes

Flashlight On Doing 'Over There'
When Backwash of War Sets
In Towards Field Hospitals

By CLARENCE BUDINGTON
KELLAND

They were coming back out of the hot blast of the great battle—those boys of a certain division now famous throughout France and one day to be famous around the world. They were not coming back because they wanted to, nor because they had been enough of it; they were being brought on stretchers, wounded, gaunt, shell-shocked, to an advanced dressing station. Some of them seemed just boys. One could see them grit their teeth in a hold-back the mess of pain.

"Hard luck, pal," said a doctor interrogatively, as the bearers set down a stretcher in the courtyard. The boy shrugged his shoulders, actually shrugged them as well as he could, bunched up in that stretcher, and grinned weakly.

"Comin' fine if I can get you fellows to leave that stretcher," he said, smiling. "You can't—all the same."

"We'll run you right in."

"Nix, no, no, no, I'm gettin' past all right, ain't it, but my foot. You just lemme be here and git busy on them guys that's hurt. I'm on the way, list."

A Real Tough Guy
That was one boy. He belonged to an outfit that bears a name fat and wide for being bold and hard. Tough boys, you hear them called rough talk, boys with the crust outermost.

If you had seen them a month before or two months before when they had not had their purifying in blood and fire, you would not have prophesied that they would hold back in suffering to wait for one in greater suffering to be eased for first. It was an attribute that was not apparent to the casual eye. Hard-boiled, you would have agreed, and you might have felt a trifle sorry for the enemy that had to encounter them. But you would not have stood by with tears in your eyes—not in your eyes but rolling down your cheeks—and have muttered again and again, "Here are men!"

But now they had felt the searing breath of war. Suddenly they had been dropped into the furnace, and had come out with dress burned away. Something had happened. They were still hard-boiled. Their language was made up of the same words, but the words had taken on a new meaning. Their very faces had taken on a new aspect. In spite of blood and grime, and the disfigurement and burn of gas, they could see that something was present there which had been absent before—until you could not see at all for the flooding of your eyes.

The Spirit of All
"I got mine.... No use sport.... Can't do nothin' for me.... Git busy with some of them boys—your kin—help."

That was the spirit. That was the thing that had been burned into their souls by the hot breath of war. They had forgotten themselves. Jim was not thinking of Jim but of Mike. Mike was not thinking of Mike but of Jack. Each passed it on.

The dressing station was small and many must lie outside until the men who were taken in first could be evaluated. You heard groans, but amid the groans, you heard cheer, grumpy words. "Oow, that damn leg.... How's Charlie makin' it? Anybody know? I seen him git it.... Oow...."

"They just took Charlie in. He wasn't sayin' much."

"Say, them stretcher bearers ought to git the Oow de Grr, them birds ought to see 'em fetch me back with 'em shells bustin' it was rainin' bit. I hollers to them to git a move on or they'd git busted one on the dome, but that little shrimp says for me to mind my own business, he was 'arryin' that stretcher.... Afraid if he bustled he'd shake me up and hurt me some. Can you beat that?.... Oow...."

Two of them stretcher bearers was Y. M. C. A. boys. What they do in "bat game?"

Volunteered for Duty
"Volunteered, one of them told me. I asked him. He's been workin' up in that dressin' station right where she's happenin' ever since this busted out. I seen him there. Hain't had his clothes off for a week. Looks to me like he's about ready to crack. But he's always there with a cigarette or a cup of coffee, or a cake of chocolate. Now he's totin' stretcher. Needs a stretcher himself, seems as though."

"You're next, son," said a lieutenant-doctor. "Where'd you get it?"

"Leg and a chunk somewhere in the chest."

"Out of luck."

"Out of luck, nothin'. Didn't I bayonet three of them Germans before they got me? Eh?—Luck!"

Five to One Shot
The story goes that this division was called upon to stop the rush of five times its number. The story goes farther and says they not only stopped the rush but caused a movement in the other direction. It was not an affair of hours but days, days of constant, bitter, hand-to-hand fighting with horses.

Sumoto was paid \$1300 for leaving his land vacant for the Japanese.

Statement by Belser
In an interview yesterday Jack Belser, manager and president of the Honolulu construction company denied his company had used unfair methods in its control of the Moiliili quarry. He said he had made a settlement of differences with Col. R. R. Raymond, the United States engineer, who is supposed to be among those who made complaints to the district attorney.

Belser asked in the interview that the public suspend judgement on the monopoly charge until all the details could be made public, after he had seen the district attorney, which he was unable to do yesterday. He says he is willing that the district attorney should have the company books for a full investigation.

Charles P. Remo, sugar boiler with the Whittier Mill Company, Maui, has returned from the Coast, where he spent a number of weeks. He expects to remain a week or two in Honolulu.

ers added by the Hun that no American soldier has even been called upon to face. But they had damned the flood; had even swept it back for a little, and they were proud.

But their achievement on the field was not the great thing that came into view in those days. It was the spirit that flamed up in their hearts—not merely a spirit of courage, of daring, of heroism against odds, but a spirit of altruism, of love for the other fellow. Somewhere in that hallowed forest back behind the lines, it was the manifestation of it that night in the little courtyard before the dressing station made the spot one never to be forgotten by those who witnessed it. A hurry call was sent to the distant Y. M. C. A.

"Can't you do something for these fellows that are being brought in here?" the officer in charge demanded.

"What can we do?"

"Something to eat and smoke. Coffee. A bite and a smoke do a wounded man more good than anything else. Do you know, some of those boys have been out there in that for two days with nothing to eat but hardtack?"

"Here's a cup of chocolate."

The boy raised himself painfully on his elbow and reached for the cup—then he motioned it away.

"I hain't hurt much—and there's a lot of guys here that's messed bad. You hain't got enough to go around. Git busy."

"I've got smokes and hot chocolate for every man. Go ahead."

Honest? I won't be robbin' none of them birds."

The boy drank—and was transformed. He lay back with a cigarette between his lips, with his eyes closed, and the expression on his dirty face was such a reward as few men ever earn.

"That's livin'!" he said softly. "One boy was brought in with a broken leg. It had been an accident and not a wound won in battle. He had gotten in the way of a motor truck."

"Fix his leg up out here what you can," he said.

"You get to the hospital, son."

"Nix, Hospital's for those fellows that's hurt. I just got a busted pin. You fix me here and leave me here—when you git a chance."

A Transformation
Somewhere, some time, they had all got this thing. It had come to them out of the line and out of the battle; it had been carried to them on clouds of searing, noxious gas; it had awakened in them through suffering and through the sight of suffering. They were the same yet they were not the same. They were not gentle, yet one fancied he could detect a gentleness in their voices. But out of the battle and the suffering, something better than they had ever known came to them. There was utter ignoring of self, and it was a thing wonderful to witness.

"We've got to have a new word in the language," said a Captain-surgeon. "Game won't do. These boys are something more than game. I've never seen anything like this. I know what it is." Even he, injured to suffering and to scenes of bloodshed, wiped his eyes.

"They're—they're—why, damn it, all they're something! Nobody was ever like them!"

One man lay inside on a mattress on the floor. His chest was rising and falling as he struggled for breath.

"He's a man who is acting as orderly, a nurse, assistant, anything, anything you want."

The Y man went over and touched the boy's forehead.

"How about it, old man?" he said. "Kind of lonesome. Maybe you could sit here till—"

A man sat down and a hand struggled toward him. He took it and held it in his own and he whispered to the boy a moment. Maybe it was a prayer. Whatever the words, it was a prayer. The wounded man lay still, his hand in the hand of the friend who had come to him in his last dark moment—his last glorious moment. He was giving his utmost for his country. The Y man still held the hand and grew limp and lifeless in his own, and then he moved away to other errands, for it was a night demanding much of men.

The course of the battlefield seems to be a common commodity; but the courage to bear pain without flinching; to realize the approach of death without crying out; to reach a moment when you know you must face life, maimed, without arm, leg, eye and not to curse with black rage or cry out with despair—that is another kind of courage. But it was there. Not one man had it, but it seemed as if all those wounded had it—it was not the gameness of the bulldog. It was something that had to do with the soul. It was greatness. It was a thing that had compelled the watcher to uncover his head and stand bared in its presence.

They were Americans. Perhaps it was their birthright. More likely it was a new thing; newly born of the day and the business of the day. Whatever it was, whenever and wherever it came, it was present. This had been written with repression, with a striving for understatement, with a wish to tell the truth. The thing was there. They brought it back with them.

"How are you making it, sport? Here's a cup of coffee."

"You come around to me after you've given some to the boys over there. Thank you."

That was what was there. It has reached something new into the meaning of the words American Soldier. As the doctor said, some new word must be coined to designate it. It was born of battle and agony.

BELETED EVIDENCE RESULTS IN PARDON

Man and Woman Keep Silence
For Five Years and Then
Confirm Whaley's Story

Impelled by conscience qualms after five years of silence, two witnesses, one man and one woman, have made affidavits which were the prime factors in causing Governor C. J. McCarthy to pardon Franklin Lee Whaley, who has been confined in Oahu prison since September, 1913, after he was convicted of manslaughter in the first degree on a charge of having killed his wife in May of that year.

These two witnesses were in the Mutual Telephone Company building when Mrs. Whaley was killed in the "trouble" room, where she had gone to see her husband while she was intoxicated.

Fearing that their presence in the building would be interpreted against them, the man, an employee of the telephone company, and his woman companion retained as a secret what they knew of the killing of the wife of Whaley, who was employed as the night "trouble" man, from that time until now.

But their consciences troubled them as they were reminded of the sentence Whaley was serving, possibly because of their silence and finally they decided to make their knowledge public but to keep their identity still secret from all but the necessary authorities.

The two conscience stricken witnesses told their knowledge to attorneys who represented Whaley at the trial and they took steps to secure his pardon from a sentence of not less than ten years or more than twenty years imprisonment. At the same time a promise was made to the two witnesses that their names would be kept unknown, but that it would be necessary for them to make affidavits of what they knew.

Confidence Whaley's Testimony
The affidavits were corroborative of Whaley's claim after the killing that he did not know what happened. The two witnesses tell how they went into the "trouble" room and saw a man leaning out of the window. He paid no attention to them when they entered, and the woman, a nurse, urged her companion to speak to Whaley, saying she was certain he was ill.

Then the man witness shook Whaley, but he acted as if he was unaware of their presence. Then the man and woman turned around and saw the body of the woman lying on the floor of the "trouble" room. Frightened by their discovery the two rushed from the room and entered a pet to say nothing of what they had seen, as they felt their explanation that the telephone man had taken the nurse to see the workings of the telephone system would not be believed, and that their only escape from a scandal was silence.

Whaley at last recovered his reason and was instrumental, himself, in calling the police. He said afterwards that he had been estranged from his wife because of her drinking habit, and had not been living at home for two weeks, but on the day of the killing he received a telephone message from her while she was apparently sober. He promised to return home that evening, but was deferred from doing so when she telephoned again, her incoherent speech showing she had been drinking.

When Whaley failed to return to his home his wife got in a hack and went to where he was working. She made her way up to the "trouble" room, where she found him cleaning a pistol. A scuffle must have resulted and the revolver was discharged, killing the woman, a Hawaiian, who was a Miss Andrews before her marriage.

Defense Was Weak
At his trial the only defense made by Whaley was that he was so distracted by his wife because of her constant nagging and drinking, and also because of her visit to him while he was at work, that he did not know how she came to be shot. To confirm his statement he did not know what happened after his wife entered the "trouble" room, he had no witnesses, evidence which the other telephone man and the nurse could have supplied if they had not sworn each other to secrecy.

These facts were laid before Governor McCarthy a few days ago, with representations from Judge W. J. Robinson, before whom Whaley was tried, that the introduction of this evidence would have resulted in a different verdict.

Another factor which also greatly influenced the Governor in granting a pardon to Whaley was that a statement was signed by eleven of the twelve jurors who convicted Whaley that their verdict would not have been the same, if they had had the evidence of the man and woman to corroborate the defendant's testimony and to counteract the circumstantial evidence upon which he was found guilty.

The pardon given to Whaley is an unconditional one, with full return of all his civil rights. He may ever know the identity of the two witnesses who have secured his release from prison, for their identity is to be kept an official secret forever, the Governor said yesterday after he had affixed his signature to the document which makes Whaley a free man again.

W. A. S.
John A. McGregor will be chairman of the San Francisco Patriotic Liberty Loan Committee of One Thousand.

No official announcement of the amount of the fourth loan has been made.

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(Tablets). Droplets refund money if it fails to cure. The signature of
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Fourth Loan Heads
Have Been Chosen

SAN FRANCISCO, August 6.—In preparation for the Fourth Liberty Loan campaign expected to be waged from September 28 to October 19 the organization in the Twelfth Federal Reserve District has been completed.

Governor James K. Lynch of this federal district has announced the list of state chairmen who have formally accepted their appointments.

Following are the state chairmen: H.

Punahou Officer Is Married But Forgets To Tell To Whom

Lieut. Palmer Woods Jr. Writes
Interesting Letter To His
Father But Leaves The Latter
Still Wondering

Palmer P. Woods has a new daughter-in-law. He knows she is the finest girl in the world, because his son Lieut. Palmer P. Woods, Jr., writes to tell him so, and he also has his word for it that his son is the luckiest young man who ever led a bride to the altar just before he sailed away for war, because he tells him that too. The only thing he forgot to mention, in writing to his father about his marriage, is the former name of his bride. Thus, although Mr. Woods knows he has a new daughter-in-law, he does not know what her first name is now nor what her last name used to be.

The young officer, apparently, was so excited at receiving his orders to sail for France and at being married as well that he forgot to tell his father to whom he is married. It was just a short note that Mr. Woods received, dated at Boston on July 28.

Mrs. Woods and her daughters, who left for the mainland last year to spend a long visit to Boston and see their son before his trip to France, are now in Boston, and Mr. Woods states that they were undoubtedly at the wedding.

Lieutenant Woods left Honolulu nearly four years ago, after attending Punahou College, to take up a special engineering course at Wentworth College. When the war broke out 1800 students of this college, out of 2800, enlisted as soon as they were called by the engineers. Young Woods also joined the engineers, and would be in France now, if it had not been that he was transferred to the Aviation Corps.

Since that time he has been stationed at four of the big aviation training camps of the country, one in Georgia, two in Texas and one in Mississippi. Recently one of Lieutenant Woods' comrades was killed and he was detailed to escort the body back to Boston. It was then that he apparently took advantage of the opportunity to "marry a wife," but his father and many friends here are wondering who she can be. Lieutenant Woods expects to leave for the front before long, having won his place as an expert birdman.

W. A. S.
CASUALTY REPORTS
BRING GRIEF HERE

Nephews of Doctor Hodgins and
E. A. Mott-Smith Fall On
Field of Honor

Mrs. Orme, sister of Dr. A. G. Hodgins, who is visiting him here, received a letter on Friday from her son in France, Captain Rupert Orme, of "To bin's Tigers," the famous Vancouver infantry regiment, telling of honors that had come to him. He had just returned to France from London, where he had been given his captain's commission and where King George had pinned on his breast the Military Medal, won for gallantry in action.

Withing twenty-four hours of the receipt of his letter, a cablegram came to Dr. Hodgins yesterday announcing the death of Captain Orme in action. He had fallen in the recent drive in Picardy, probably in the fighting east of Montdidier, where the Canadians are now operating with the French.

Another son of Mrs. Orme, Clarence, who is now with the Hawaiian Commercial on Maui, was seriously wounded in the war and discharged as incapacitated for further service. The cablegram received yesterday by Doctor Hodgins is the second message of the kind received by him last week, an earlier message reporting the death of his elder brother, at Stratford, Ontario, where he was an Episcopal clergyman.

Mott-Smith Loses Nephew
Word was also received yesterday by E. A. Mott-Smith of the death in action of his nephew, Robert M. Lovett Jr., who was killed on July 23 while serving with the American forces at Vaux, on the Chateau Thierry front.

News of the young man's death came to Mr. Mott-Smith by mail from the boy's parents who reside in Chicago. Mrs. Lovett being dean of the department of English of the Chicago University.

Young Lovett was just a little more than twenty-two years old and joined the army about a year ago, being assigned to an infantry regiment.

His mother was formerly Miss Ida Mott-Smith, a sister of the Honolulu supervisor. She has lived away from the Islands for years. Young Lovett had never been in Honolulu.

J. McCullough, Phoenix, Arizona; Charles E. Blythe, San Francisco; Northern California; Henry S. McKee, Los Angeles; Southern California; Montie R. Gwyn, Boise, Idaho; G. H. Tevel, Reno, Nevada; Edward Conklingham, Portland, Oregon; Heber J. Grant, Salt Lake City, Utah; Joseph A. Swallow, Seattle, Washington; L. Tenney Peck, Honolulu, Hawaii.

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